

Board of Registration of Allied Health Professionals
1000 Washington Street, Boston MA 02118

PUBLIC MINUTES

Date: July 28, 2016

Location: Room 1D

Time: 9:00 AM

BOARD MEMBERS PRESENT:

James "Zack" Zachazewski, AT, Chair
Annette Iglarsh, PT
Thomas Darisse, OTA
Lisa M. Ayles, AT
Jay Bernasconi, PT, Secretary
Stacy Potvin, PTA
Jamie L. Musler, AT, Vice-Chair
Chrys Peralta, OTR/L

STAFF MEMBERS PRESENT:

Peter Kelley, Board Counsel
Ana Garcia, Executive Director
Sonia Jordan, Board Administrator
Anne Driscoll, Board Investigator
Ellen D'Agostino, Health Care Fraud Investigator
Colleen Cavanaugh, Assoc. Exec. Dir.
Bruce Hopper, Chief Board Counsel

MEMBERS NOT PRESENT:

Nancy Lowenstein, OTR/L

9:03 AM - Housekeeping

- Meeting Called to order
- Facility Briefing (fire drill instructions) + Location of Exits and Restroom

9:05 AM - Board Business

- Approve Public and Executive Minutes for June

ACTION: Annette Iglarsh moved to accept public minutes; second by Stacy Potvin, unanimous vote to approve.

ACTION: Lisa Ayles moved to accept executive minutes; second by Stacy Potvin; unanimous vote To approve.

9:07 AM - Investigative Unit Update

- Update from Chief Investigator-Christopher Carroll

ACTION: tabled

9:08 AM - Application Review/Conference

- (JM) -PTCO of multiple facilities (Invited to Board Meeting)

ACTION: removed from agenda per Colleen Cavanaugh

9:09 Compliance Monitoring: Associate Executive Director Colleen Cavanaugh

- AH-14-023 (CWM)

TOPIC: Licensee petitions to be removed from compliance monitoring

DISCUSSION: Action plan submitted by Licensee. Tom Darisse and Annette Iglarsh raise standard of practice issues.

ACTION: Annette Iglarsh motions to have applicant appear before the board and present her action plan; second by Lisa Ayles with unanimous vote to approve.

09:35 AM - Correspondence:

- Email from Paul Hold dated 6/19/16 regarding Aquatic Therapy Clinic

ACTION: Board would refer emailer to the statutes of the commonwealth regarding PT's and PT Facilities. Regarding specific pool issues, Board would refer to Board of Health of individual city/towns of which the pool would be located to answer specific questions.

9:36 AM- Report from Board Counsel, Peter Kelley

TOPIC: Peter Kelley discussed proposed edits to OT regulations that have come about. Has to resubmit to A&F Committee. August 19th public meeting published. Also presented proposed language that cont. ed. subcommittee consider for CEU competence at CE subcommittee meeting on 8/25/16.

09:43 AM - Correspondence-Renewed

- Email from Betty Bhearne dated 6/28/16 regarding COTA Supervision

DISCUSSION: OT/R's must supervise COTAs.

ACTION: The Board would respond that the case as presented is ethical.

- Email from Tim Kaufman dated 6/22/16 regarding Telehealth

ACTION: The Board would confirm that the practitioner would need to be licensed in the Comm. of Ma. and be treating a resident of the Commonwealth of Ma. Further, to perform Telehealth, the Board would refer to the scope of practice algorithm on the Board Website. Telehealth, as a medium to conduct physical therapy, is not specifically addressed within the Mass statutes.

- Email from Erin McQuaid dated 6/28/16 regarding OT licensure question

ACTION: Tabled until the next board meeting.

10:02 AM: Motion to enter closed session pursuant to G.L. c. 112, §65C by Jay Bernasconi, second by Annette Iglarsh with unanimous vote to approve

10:05 AM: Motion to exit closed and into open session by J. Zachazewski, seconded by S. Potvin. All in favor.

During the closed session, the Board voted to take the following actions:

ACTION: Consent calendar approved by unanimous consent. Ms. Ayles took no part in the discussion of or deliberation on Ah-16-035.

10:05 Break

10:22 AM – J. Bernasconi moved to enter Closed Session for an Investigatory Conference [under G. L. c 112, § 65C]: seconded by A. Iglarsh. All in favor. The motion passed.

ACTION: Annette Iglarsh moves to dismiss case (AH-16-012) with advisory letter to both clinic owner and PTCO that billed charges are to represent a skilled service; to use group charges where appropriate with respect to supervision; and to attempt to standardize billing practices across all clinics. Stacey Potvin second; with unanimous vote to approve.

10:58 AM: Jay Bernasconi makes motion to leave closed session, Chrys Peralta second. Unanimous vote to leave closed session.

10:59 AM: **Annette Iglarsh moves to enter Executive Session pursuant to G.L. c. 30A, § 21(1) to review good moral character rather than competence and confidential medical record information;** second by Jamie Musler following a roll call vote, the motion passed unanimously.

Lisa Ayles motions to leave Executive session and return to open session, Annette Iglarsh second, roll call vote unanimous.

11:40 New Business:

- Open Session for Topics not reasonably anticipated by the Chair 48 hours in advance of meeting.

Stacy Potvin requests to rotate out of subcommittee for consent calendar with Jay Bernasconi to replace her as PT representative.

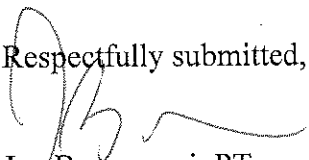
Nancy Lowenstein, Stacy Potvin, Annette Iglarsh and Chrys Peralta to attend August 28, 2016 meeting as members of subcommittee on CEU language with James Zachazewski to observe.

Tom Darisse attended NBCOT conference in May 2016 with Peter Kelley. Provides written Speaker/Agenda summary to the Board Administrator

ACTION: Regular August Board meeting to be cancelled. Jay Bernasconi motions; James Zachazewski seconds with unanimous vote.

11:50 AM: Motion to adjourn made by Stacy Potvin, Annette Iglarsh second with unanimous vote.

Adjourn: 11:50 AM

Respectfully submitted,

Jay Bernasconi, PT
Secretary